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## In the United States Patent and Trademark Office

Applicants:	Mark E. Foster et al.	Docket No.:	20238
Serial No.:	10/729,408	Group:	3763
Confirmation No.:	9603	Examiner:	
Filed:	December 5, 2003		
For:	Venting Catheter		

### **Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. 1.97(b) Before First Office Action or Within Three Months of Filing Date**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the documents listed on the modified PTO 1449 Form. A copy of each non-U.S. patent document listed on the form is also presented herewith for the Examiner's review and convenience. Cited U.S. patents and U.S. patent application publications are not included in accordance with the U.S. Patent Office waiver of the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.

If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (770) 587-7273.

Respectfully submitted,

MARK E. FOSTER ET AL.

By: James B. Robinson

James B. Robinson

Registration No.: 34,912

#### CERTIFICATE OF MAILING

I, James B. Robinson, hereby certify that on May 5, 2005 this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: James B. Robinson

James B. Robinson

## List of Patents and Publications for Information Disclosure Statement

Applicant(s): Mark E. Foster et al.  
 Serial No.: 10/729,408  
 Filed: December 5, 2002

Docket 20238  
 Group: 3763  
 Examiner:

U.S. PATENT DOCUMENTS							
Initials		Doc. No.	Date	Name	Class	Subclass	Filing Date
	A1	4,950,239	8/21/1990	Gahara et al.			
	A2	5,411,477	5/2/1995	Saab			
	A3	5,514,153	5/7/1996	Bonutti			
Foreign Patent Documents							
Initials		Doc. No.	Date	Country	Class	Subclass	Trans.
	A1						
	A2						
Other Documents							
Initials		Author, Title, Date, Pages, etc.					
	A1						
	A2						

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Examiner:

Date Considered: